



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087910,449	08/05/97	GOODWIN	2801-C

HM11/1026

LAW DEPARTMENT
IMMUNEX CORPORATION
51 UNIVERSITY STREET
SEATTLE WA 98101

EXAMINER
SPECTOR, L

ART UNIT	PAPER NUMBER
1846	

DATE MAILED: 10/26/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See Attached

Part III EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Janis Henry on 10/23/98.

TEXT OF EXAMINER'S AMENDMENT

Cancel non-elected claims 26, 27, 45 and 46.

In claim 30 lines 3 and 4: amend both instances of "SEQ ID NO: 7" to read --SEQ ID NO: 8--.

In claim 39 lines 2 and 3: amend both instances of "SEQ ID NO: 7" to read --SEQ ID NO: 8--.

In claim 40 line 3: amend both instances of "SEQ ID NO: 7" to read --SEQ ID NO: 8--.

In claim 41 lines 3 and 4: amend both instances of "SEQ ID NO: 7" to read --SEQ ID NO: 8--.

In claim 47 line 1: delete "17" and insert therefore --30--.

Insert the following new claims:

--48. A purified 4-1BB polypeptide comprising amino acids 1-232 of SEQ ID NO: 8.

49. A purified 4-1BB polypeptide comprising amino acids 1-163 of SEQ ID NO: 8.--

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance: Regarding claim 47, a polynucleotide of at least 30 nucleotides' length would encode a polypeptide of at least 10 residues' length, which would reasonably be expected to be epitopic.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Serial Number 08/910449
Art Unit 1646

Allowance."

SUSPENSION OF PROSECUTION:

All claims (29-44 and 47-49) are allowable. However, due to a potential interference, *ex parte* prosecution is SUSPENDED.

5 **Advisory Information:**

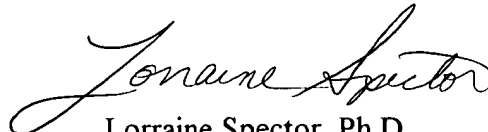
Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Lorraine M. Spector, whose telephone number is (703) 308-1793. Dr. Spector can normally be reached Monday through Friday, 8:00 A.M. to 4:30 P.M.

10 If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ms. Lila Feisee, can be reached at (703)308-2731.

15 Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist at telephone number (703) 308-0196.

20 Certain papers related to this application may be submitted to Group 1800 by facsimile transmission. Papers should be faxed to Group 1800 via the PTO Fax Center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office.

25 Official papers filed by fax should be directed to (703) 305-4242. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294. Please advise the Examiner at the telephone number above when an informal fax is being transmitted.

30 

Lorraine Spector, Ph.D.
Primary Examiner

35

40 LMS
910449.sus
10/23/98